

# MEMORANDUM

Agenda Item No. 11(A)(6)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

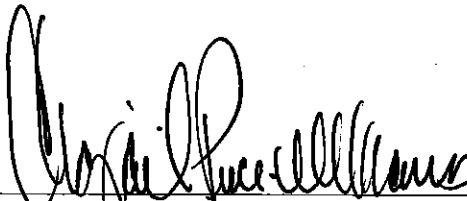
**DATE:** December 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution setting policy for Miami-Dade County requiring Qualified Target Industry businesses to fill not less than 20 percent of the jobs created on a project with residents of Miami-Dade County as a condition of the Miami-Dade County Board of County Commissioners adopting a resolution recommending that the project be approved as a Qualified Target Industry business

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz and Co-Sponsor Commissioner Audrey M. Edmonson.

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney

APW/smm

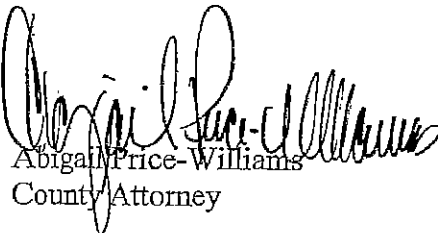


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** December 6, 2016

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(6)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(6)  
12-6-16

RESOLUTION NO. \_\_\_\_\_

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY  
REQUIRING QUALIFIED TARGET INDUSTRY BUSINESSES TO  
FILL NOT LESS THAN 20 PERCENT OF THE JOBS CREATED  
ON A PROJECT WITH RESIDENTS OF MIAMI-DADE COUNTY  
AS A CONDITION OF THE MIAMI-DADE COUNTY BOARD OF  
COUNTY COMMISSIONERS ADOPTING A RESOLUTION  
RECOMMENDING THAT THE PROJECT BE APPROVED AS A  
QUALIFIED TARGET INDUSTRY BUSINESS

**WHEREAS**, this Board finds that attracting, retaining and providing favorable conditions for the growth of target industries provides high quality employment opportunities for residents of this county and enhances the county's economic foundations; and

**WHEREAS**, the Florida Legislature has pronounced similar objectives with respect to attracting and retaining certain target industries, and has codified these objectives in section 288.106(1), Florida Statutes (the "Act"); and

**WHEREAS**, the policy of the State is to encourage the growth of a high-value-added employment and economic base by providing tax refunds to qualified target industry businesses that create new high-wage employment opportunities by expanding existing businesses within the State or by bringing new businesses to the State; and

**WHEREAS**, the Florida Legislature, in support of the policy set forth in the Act, has enacted legislation creating the Qualified Target Industry Tax Refund Program ("QTI Program"), which permits tax refunds to qualified target industry businesses in accordance with the Act; and

**WHEREAS**, the refunds permitted under the QTI Program include the following taxes due and paid by the qualified target industry business: corporate income taxes under chapter 220, Florida Statutes, intangible personal property taxes under chapter 199, Florida Statutes, excise taxes under chapter 221, Florida Statutes, excise taxes on documents under chapter 201, Florida Statutes and ad valorem taxes paid, as defined in section 220.03(l), Florida Statutes; and

**WHEREAS**, the State requires an applicant requesting certification as a qualified target industry business to include with its application, among other things, a resolution adopted by the board of county commissioners of the county in which the project will be located that recommends that the target industry business be approved as a qualified target industry business and that the commitments of local financial support necessary for the target industry business exist; and

**WHEREAS**, such board of county commissioners may condition its support and recommendation; and

**WHEREAS**, the State also requires funding from local sources, public or private, ("Local Financial Support") to be paid to the Economic Development Trust Fund equal to 20 percent of the annual tax refund for a qualified target industry business; and

**WHEREAS**, in each application of a business seeking to be certified as a qualified target industry business, this Board has provided the Local Financial Support from Miami-Dade County's General Fund revenue; and

**WHEREAS**, although Miami-Dade County has provided the Local Financial Support, there has been no guarantee or requirement that the businesses would hire or employ any residents of Miami-Dade County; and

**WHEREAS**, it is in the best interest of Miami-Dade County and its residents to ensure that residents of Miami-Dade County have the opportunity to be employed in the high wage jobs created by qualified target industry businesses, especially when Miami-Dade County funds are being used to finance 20 percent of the tax refunds to those businesses through the Local Financial Support,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** The matters contained in the foregoing recitals are incorporated in this resolution by reference.

**Section 2.** This Board sets as its policy a requirement that Qualified Target Industry businesses fill not less than 20 percent of the jobs created on a project with residents of Miami-Dade County as a condition of this Board adopting a resolution recommending that the project be approved as a qualified target industry business.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz and the Co-Sponsor is Commissioner Audrey M. Edmonson. It was offered by

Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by

Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

	Jean Monestime, Chairman
	Esteban L. Bovo, Jr., Vice Chairman
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Joe A. Martinez	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of December, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Shannon D. Summerset-Williams